

United States District Court for the District of Vermont

Damian John Renzello

Plaintiff

v,

Michael Nelson

Defendant

UNITED STATES DISTRICT COURT
VERMONT
8-31-2015
KAK

File No. 1:05-CV-153

MOTION to Find Plaintiff in Violation of the Court Settlement

and

Motion for the Court to Take Control of the Website: PortaRinxandBambini.com

and

**Motion for the Court to ORDER Plaintiff Damian J. Renzello to STOP attacking the
Defendant, the Defendant's Family and others through online postings**

MOTION for ORDER on Psychiatric Examination & Hospitalization of Renzello

Now here comes Mike Nelson, the defendant in the above entitled action who makes way of this motion and provides EVIDENCE from third party non-profit archival sources as to HARASSMENT, DEFAMATION Per-Se, SLANDER, LIBEL and various purposeful and knowing contact in violation of the Court Settlement committed purposefully and knowingly by the Plaintiff: Damian J. Renzello

Exhibits as True and Correct copies of the website www.PortaRinxandBambini.com taken directly from the waybackmachine which is administered by the INTERNET ARCHIVES, a non-profit regularly recognized by the Federal Courts.

The Defendant so submits that the defendant could present THOUSANDS of PAGES of instances where Renzello has purposefully violated the spirit and the intention of the settlement agreement, however, in the interests of time and to provide the most solid evidence possible without necessity to question the authenticity of the evidence provided by subjective guess work as to who the author of postings are or the material facts thereof; the defendant also so provides the contrast text between various types of computer generated evidence vs. human subjective assertions:

In contrast, computer-generated records contain the output of computer programs, untouched by human hands. Log-in records from Internet service providers, telephone records, and ATM receipts tend to be computer-generated records. Unlike computer-stored records, computer-generated records do not contain human "statements," but only the output of a computer program designed to process input following a defined algorithm. Of course, a computer program can direct a computer to generate a record that mimics a human statement: an e-mail program can announce "You've got mail!" when mail arrives in an inbox, and an ATM receipt can state that \$100 was deposited in an account at 2:25 pm. However, the fact that a computer, rather than a human being, has created the record alters the evidentiary issues that the computer-generated records present. See, e.g., 2 J. Strong, *McCormick on Evidence* §294, at 286 (4th ed. 1992). The evidentiary issue is no longer whether a human's out-of-court statement was truthful and accurate (a question of hearsay), but instead whether the computer program that generated the record was functioning properly (a question of authenticity). See *id.*; Richard O. Lempert & Steven A. Saltzburg, *A Modern Approach to Evidence* 370 (2d ed. 1983); *Holowko*, 486 N.E.2d at 878-79.

The Evidence included herein as will follow comes directly from the screen prints of the well known non-profit Internet Archives for the edification of the court a little about the archives:

The Internet Archive is a 501(c)(3) non-profit that was founded to build an Internet library. Its purposes include offering permanent access for researchers, historians, scholars, people with disabilities, and the general public to historical collections that exist in digital format.

Founded in 1996 and located in San Francisco, the Archive has been receiving data donations from Alexa Internet and others. In late 1999, the organization started to grow to include more well-rounded collections. Now the Internet Archive includes: texts, audio, moving images, and software as well as archived web pages in our collections, and provides specialized services for adaptive reading and information access for the blind and other persons with disabilities.

www.Archive.org

The Internet Archives have long been used by the Federal Courts to confirm content which existed on the internet at the various points in time when the archives went out and downloaded and took exact captures of the way which websites looked on a specific date.

The integrity of the archives cannot be questioned as the data is collected by computers without human intervention therefore it is not a question open for subjective debate nor hearsay, but instead whether the computer program that generated the record was functioning properly therefore a question of authenticity of the program; here we have a non-profit third party which is relied upon by State and Federal Courts in the United States and by numerous foreign courts and International Courts, including World Trade Court, the WTO, Patent Cooperation Treaty Courts, etc.

The presentation of the following Exhibits are just three selections from the Archives themselves taken on different dates all AFTER the Settlement Agreement. Each of the selected exhibits are just but a small sampling of the many examples which could be submitted to the court if the court deems it necessary to further examine the extent to Mr. Renzello's purposeful violations of the settlement agreement which have stretched over a period of years.

Each of the exhibits is a complete print out of only the first page of the website:
www.PortaRinxandBambini.com

To establish controlling authority as to the ownership of the website
www.PortaRinxandBambini.com Exhibit A as attached hereto is the true and correct copy of the ICANN registration information and all IP addresses, DNS, hosting etc. related to the referenced domain name as found at;
<http://whois.domaintools.com/portarinxandbambini.com>

For quick reference herein this is the screen capture of the ICANN (Internet Corporation for Assigned Names and Numbers) information on record for the website:
www.PortaRinxandBambini.com

Whois Record (last updated on 2015-08-26)

Domain Name: portarinxandbambini.com
Registry Domain ID: 34218746_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.melbourneit.com
Registrar URL: http://www.melbourneit.com.au
Updated Date: 2014-09-06T01:35:33Z
Creation Date: 2000-09-07T23:13:22Z
Registrar Registration Expiration Date: 2015-09-07T23:13:22Z
Registrar: Melbourne IT Ltd
Registrar IANA ID: 13
Registrar Abuse Contact Email: abuse@melbourneit.com.au
Registrar Abuse Contact Phone: +61.386242300
Domain Status: ok
Registry Registrant ID:
Registrant Name: Porta-Rinx
Registrant Organization:
Registrant Street: 1325 VT Route 14 South
Registrant City: East Montpelier
Registrant State/Province: VT
Registrant Postal Code: 05651
Registrant Country: US
Registrant Phone: +1.8024791880
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: vtbambini@aol.com
Registry Admin ID:
Admin Name: Damian Renzello
Admin Organization:
Admin Street: 1325 VT Route 14 South
Admin City: East Montpelier
Admin State/Province: VT
Admin Postal Code: 05651
Admin Country: US
Admin Phone: +1.8024791880
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: vtbambini@aol.com

As Exhibit A so indicates the controlling authority for this website is Damian J. Renzello and the organization is listed simply as "porta-rinx".

Having fully and completely established the ownership of the domain name and website in question we next turn to the Archive records of this website and ONLY THREE (3) of are presented herein in the interests of time; as not to overly burden the court with

excess documentation of the on-going long running and repetitive nature of Plaintiff Damian J. Renzello illegal actions in violation of the settlement agreement and all notions of fair play.

Exhibit B

15 April 2008; nearly ONE year AFTER the settlement, Plaintiff Damian J. Renzello continues to post defamatory content on his website directly targeting the person of the defendant. Starting on page 5 and running through page 6 of the 6 page Exhibit B, Plaintiff Damian J. Renzello purposefully with malice and knowingly ill intent goes on for pages all sorts of VILE and defamatory content regarding the person of the defendant which is in violation of the Court Order, Consent Judgment and Settlement in this matter.

Exhibit C

23 December 2008

Well in excess of a year and half AFTER settlement, Mr. Plaintiff Damian J. Renzello goes on for two pages of the six page website which is printed from the archives, in pages 5 and 6 Mr. Renzello goes on and on to liken any negative online comment to the words of the defendant, this is not only NOT TRUE but Mr. Renzello does so in a more egregious way in this example, Mr. Renzello purposefully links to unfavorable articles about himself, only furthering those unfavorable comments, Mr. Renzello then goes into great detail and makes directed links to several articles from the Times Argus Newspaper to further defame the defendant and cause more page rank to all the negative content online whether about the plaintiff or the defendant. Mr. Plaintiff Damian J. Renzello's actions here are once again tortious and with malice and ill intent to purposefully cause the defendant significant personal hardship and damages.

Exhibit D

20 September 2010; demonstrating Mr. Plaintiff Damian J. Renzello's resolve to use his own website as a platform by which to purposefully flout the Court Order, Consent Judgment

and Settlement of this matter; more than THREE and HALF YEARS, AFTER the Settlement this demonstrates Mr. Renzello's long standing resolve to go after and cause damages to the defendant by purposeful interference in the defendants work and life.

Here the Plaintiff begins even greater attacks against not just the defendant but the defendant's FAMILY; Mr. Renzello purposefully targets new born children, babies, young children, cousins, aunts, uncles, parents, the defendant's brother, Mr. Renzello with even greater level of directed attacks goes after a PRIVATE FAMILY website of the defendants.

Here Mr. Renzello in his most brazen action directly attacks the website: www.NelsonAdventures.com his attacks of this particular website do not stop at simply this front page although not captured by the Archives the defendant so submits Mr. Renzello directly attacks and takes PRIVATE pictures from the family and attacks numerous other people who are family and loved ones of the defendant. In Mr. Renzello's attacks he directly attacks at least SEVEN (7) different VERMONT Families with Children; several families in Connecticut, Massachusetts, Rhode Island, New Hampshire, Arizona, Florida, California, Washington DC, Virginia, Maryland and Nevada. There is no stopping the lengths to which Mr. Renzello has gone to attack and draw separation between the defendant and his family.

Mr. Renzello in this posting of 20 September 2010, which carried on for years and years although not always captured by the infrequent captures of the Internet Archives; Mr. Renzello purposefully spews for a volley of insinuations, recriminations, threats, slander per se, untrue statements, libel and all around directly flouts and violates the conditions of the settlement of the matter at hand.

Mr. Renzello seeks to directly injure the reputation of the defendant by bringing up matters long considered settled and no longer an issue, by virtue of Mr. Renzello's

deliberate actions he caused financial damages and harm to the defendant purposefully interfering in ability to maintain employment and obtain employment.

Mr. Renzello is without all the facts either in the Vermont Country Store matter or any other matter for that purpose; using only public information the defendant wishes to point out just how wrong Mr. Renzello is with regards to the Vermont Country Store and so submits if the court so deems it necessary to submit lengthy filings regarding the litigation with the Vermont Country Store which was settled and dismissed from the court. If this continues the defendant will have no choice but to initiate actions in order to clear his name in the matter of the Vermont Country Store.

As to Norwich University, the defendant IS a graduate, and donates regularly to his Alma Mater. The defendant so submits to the court a transcript is available and the plaintiff knows the defendant graduated from the University.

If the court so deems it necessary a variety of Federal Actions, and International actions which relate directly to the military training persons banned by ACTS of Congress can be entered to the court record to explain any misconceptions about the actual matters which Mr. Renzello alludes to; in short a brief:

military training, was arranged in 1997 by high-ranking Indonesian military officers suspected of committing crimes against humanity in East Timor. One general was head of Indonesia's repressive intelligence apparatus; the other gave the shoot-to-kill order in a massacre...paid for "with funds wired by order of the military attache," The Indonesians presented a list of students; Norwich accepted all of them. At least 11 of them listed the same billing address: the headquarters of Kopassus, Indonesia's notorious special forces.
Nicknamed "The Butcher of Lampung," troops in Indonesia's Lampung Province ...
opened fire on a Muslim school and massacred an estimated 100 people

Leahy Law or Leahy amendment is a U.S. human rights law that prohibits the U.S. Department of State and Department of Defense from providing military assistance to foreign military units that violate human rights with impunity. It is named after its principal sponsor, Senator Patrick Leahy of Vermont. Obviously Indonesia's Kopassus was included!

HOW MUCH information does the court really want re-spewed into court records?

At what point will the Courts TELL Mr. Renzello to SHUT HIS MOUTH and MOVE ON WITH HIS LIFE?

There are 100's if NOT 1,000's of people who are PISSED OFF at Mr. Renzello, not me I am NOT continually bringing these points up, rather it is Mr. Renzello who is digging and slinging crap all over the place and pissing off 100's of people everytime he does. Mr. Renzello has serious psychological disorders that need attention by trained mental health experts.

The Vermont Country Store I am certain does NOT want their name continually brought into litigations and posted on Mr. Renzello's website. Nor does Norwich University and a host of other people. GET RENZELLO TO SHUT HIS MOUTH!

The Defendant so submits should the court necessitate further explanations and filings the defendant requests in camera session with representatives before any information of a classified nature is revealed in open court.

THE BOTTOMLINE here is MR. RENZELLO's Behavior is placing people in fear of their physical safety; he is targeting family members and children, birth pictures, private family items on the website NelsonAdventures.com which has since been permanently removed from the Internet as Mr. Renzello's RELENTLESS pursuit has caused rifts within my family and caused everyone to limit what is posted on the Internet and how the family communicates. Mr. Renzello has attacked innocent people with impunity!

Mr. Renzello is violating the court settlement brazenly without fear of recourse.

The Court must take immediate actions to prevent further damage from Mr. Renzello's constant and persistent actions as they relate to matters long considered closed moot and no longer an issue.

Mr. Renzello's actions have directly attacked 1,000's of persons including several dozen family members of the defendant.

Purposeful airing of dirty laundry of the Vermont Country Store which was agreed to be settled and the Vermont Country Store does not want it aired or otherwise brought up and knows exactly why!

Mr. Renzello has attacked Norwich University and its hundreds of employees and 10's of thousands of graduates, purposefully seeking to air laundry the University considers water under the bridge; it apologized for violating acts of Congress and I submit my University has integrity and does NOT want to continually be brought into this.

Mr. Renzello's actions MUST be curtailed and his behavior must be stopped.

The defendant so submits he cannot be held accountable for the actions of others and via Mr. Renzello's own behavior attacking hundreds of other people whilst attempting to contact and attack and financially harm the defendant only goes to demonstrate the large scale net of unhappy people who blame Mr. Renzello for attacking them and seeking to air their private matters on public forums specifically on a website he [RENZELLO] owns, operates and controls.

Unlike any other posting on the internet which Renzello has made directed at my person the attached 3 (three) are taken directly from the Internet Archives, therefore not altered by Humans, they were computer generated and cannot be questioned. Additionally as the attached Exhibits clearly demonstrate Mr. Renzello has at all times had control and authority over the domain and website where the offending content was and continues to be printed on and off namely the website: PortaRinxandBambini.com as evidenced

through Exhibit A. There can be no doubt that Mr. Renzello is the person behind these attacks against 1,000s of people from dozens and dozens of my family members, to the Vermont Country Store, to all those related to Norwich University my alma mater, to 100's of computer programmers around the world. Many programmers view Mr. Renzello as the reason why they lost incomes; does the court realize just how much \$100USD/week is in Bangladesh? Or India? or Peru? or any other of dozens of countries? How far do you think these people will go to get their jobs and incomes back? Pretty far, I submit and when Mr. Renzello destroys their incomes they will take to the Internet in waves, I think Mr. Renzello is pretty lucky his continual attacks on people have not resulted in more directed attacks against him.

THIS COURT MUST HOLD MR DAMIAN J. RENZELLO Accountable and MUST ISSUE an ORDER with as much power and force as to Control Mr. Renzello's illegal behavior and direct Mr. Renzello to STOP and not continually make matters worse and worse ... There can be NO DOUBT Mr. Renzello continues to flagrantly violate the settlement there is NO DOUBT as to the attached Exhibits being printed on a website Mr. Renzello, owns, controls, operates, and manages. There can be no doubt that Mr. Renzello regularly changes the content and regularly takes down and reposts the content to incite anger in others not just the defendant. There can be no doubt as to the content since it is submitted from a neutral third party.

The Defendant for all the reasons listed above herein prays for the court to:

1. Find the Plaintiff in Violation of the Court Order and Consent Judgment
2. Hold the Plaintiff responsible for his actions in violation of the consent judgment
3. Make an ORDER which provides for serious consequences for continued violations by Plaintiff in flouting the intention of the Court Order
4. Make an ORDER that Mr. Renzello submit for psychological examination and temporary hospitalization at the State Mental Hospital in Waterbury, Vermont, as Mr. Renzello claims to have been molested as a child at age 10, and has regular thoughts of suicide as well as bouts of manic threats to violence against others. See screenshots of messages from FB made by Renzello, attached which not only demonstrate violation of the court order but also threats to himself and allegations of childhood abuse. It is in the interests of the protection of society for Mr. Renzello to receive the proper psychological therapy and care for the life long psychosis he obviously suffers, and it is more than plausible MR. Renzello is responsible for some of the negative reports online about his person and it is evident Mr. Renzello purposefully attacks others on a website he owns, controls and manages.
5. Direct Mr. Renzello to submit to the court any changes he makes to the websites he controls prior to making those changes so the court can forever monitor Mr. Renzello's actions and insure he does not continue to anger 1,000's of people

Respectfully Submitted with prayers to the Court to curb Mr. Renzellos behavior from negatively affecting the defendant, his family, colleagues, programmers, alumni and others.

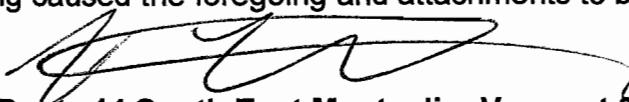
Defendant HEREUPON signs his hand at Pedralbes, Barcelona, Catalonia, Espana, on this the 26 day of August 2015:

Michael Nelson

in Proper Person (ProSe)



Certificate of Service having caused the foregoing and attachments to be sent to the care of:



Luellen McDonagh 1325 Route 14 South East Montpelier Vermont 05651

(the return address on the registered mail letter received by my parents)

Attachments and Annexed incorporated herein Exhibits as True and Correct copies of the website www.PortaRinxandBambini.com taken directly from the waybackmachine which is administered by the INTERNET ARCHIVES

<p>Evidence of Molestation Claim</p> <p>T-Mobile Wi-Fi 3:57 AM</p> <p>Recent Damian John Renzello > Messenger</p> <p>law suits ... First off during those relations I met with Larry one of the owners of the Rex Sox during a conversation he had asked what a Porta-Rinx will do to his fenway park ... now, a lot of teams are building there winter rinks in the ball fields nationally and again, you ruined the Bruins and Red Sox opportunities as well as other hickey teams</p> <p>It just goes on and on and on ... from the news paper articles, to the reporters to my once gad relationship with my brother John, Harry Monti and I can only wonder whom else you've destroyed my relations ...</p> <p>I was born with no father, step brother to six ... I've suffered since the day I was born! But yet I never gave up ... after being molested at age 10 from the Fra</p>	<p>Evidence of Suicidal thoughts</p> <p>T-Mobile Wi-Fi 3:55 AM</p> <p>Recent Damian John Renzello > Messenger</p> <p>may the good lord forgive you for your actions ... I am not the one who bullied you as a child or as a kid, I was the one offering my true friendship ... who shared meaning full things with you ... remember when you called me from Tennessee, thanking me for one of the things I shared with you,</p> <p>I hope you feel proud Mike, you almost give me the strength to put a bullet in my own head ... but everyday I try to remain strong ... maybe one of these days you will hear it then will you feel complete? like you've won ???</p> <p>1. ruined my relationship with the Bruins 2. ruined my chance on American Inventor 3. ruined my relations with</p>
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